

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:04CR3086-2
)
)
Plaintiff,)
)
)
vs.) **MEMORANDUM**
)
) **AND ORDER**
BLU PETERSON,)
)
)
Defendant.)

IT IS ORDERED that:

- (1) The government's request for hearing (filing 103) is granted.
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 94) has been set before the undersigned United States district judge at 12:30 p.m. on Tuesday, October 16, 2007, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.
- (4) The Marshal is directed not to return the defendant to the district.
- (5) The defendant is held to have waived his right to be present.

October 1, 2007.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge